

*ATTORNEY - CLIENT PRIVILEGED COMMUNICATIONS  
NOT FOR DISCLOSURE*

To: Ms. Heather Castillo

FROM: Cynthia L. Hill

RE: Investigation of Complaints against Trustee Ashley Paz

DATE: January 2, 2019

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**I.  
INTRODUCTION**

I was retained by Leasor Crass, PC on behalf of the Board of Trustees of the Fort Worth Independent School District (“FWISD”) to conduct an independent investigation into the complaints brought by Ms. Heather Leaf against FWISD Trustee, Ashley Paz. Ms. Leaf filed her complaint with the District administration on August 8, 2018. I began the investigation on September 19, 2018.<sup>1</sup> This document will comprise my notes and findings regarding the investigation.

The specific concerns regarding Trustee Paz’ conduct involve whether she improperly used her position as a board member to attempt to remove the principal at Daggett Montessori School (“DMS”). Specifically, Ms. Leaf alleges that Trustee Paz has: (1) disparaged the current principal at DMS; (2) took part in a campaign to oust the current principal at DMS; (3) attempted to use her position as a board member to exert influence over District administrators; (4) used her position as a Board member to disseminate personal information; and, (5) is currently using her position as a board member to improperly oversee personnel matters and assert control at DMS. Ms. Leaf’s allegations were provided to Trustee Paz in writing on August 9, 2018. On October 18, 2018, Trustee Paz submitted a detailed written response in which she denied the allegations and submitted documentary evidence in support of her position.

Since beginning the investigation on September 19, 2018, I have conducted personal interviews with Ms. Leaf, Trustee Paz, seven other DMS parents, two FWISD teachers, and six FWISD administrators. In addition to conducting personal interviews, I have received and reviewed multiple written statements from four of the parents I interviewed, as well as, four additional DMS parents and several DMS teachers. I have also reviewed: (1) numerous texts messages, emails and social media posts between DMS parents; (2) text messages between Trustee Paz and a DMS parent; (3) Trustee Paz’ written response to the allegations with supporting documents; (4) the Fort Worth Weekly’s August 8, 2018 interview with Trustee Paz; (5) the Texas Education

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<sup>1</sup> Due to multiple scheduling conflicts, I was unable to meet with Trustee Paz and her counsel until October 16, 2018. I completed the final witness interview on November 2, 2018. During the second week of November 2018, a personal issue arose which caused me to be out of the office until this week.

Agency's Lone Star Governance Participant Manual; (6) the Texas Association of School Boards, Legal Services Department, article entitled, "Juggling More than One Role as a Board Member," TASB Legal Services, February 2017; (7) several FWISD Board policies (both LEGAL and LOCAL); (8) DMS CERC minutes; (9) DMS teacher surveys; and, (10) FWISD disciplinary breakdown by campus.

This report will outline the specific issues raised in Ms. Leaf's grievance which was the directive from the District's counsel. There are a several tangential matters that were revealed during our interviews. These tangential matters will only be fully addressed if they fell within the subject of the investigation. Criticisms and concerns voiced by parents and teachers involving the current DMS administration are not part of the mandate. Below summarizes an outline of observation and findings concerning the matters of interest.

## **II. UNDISPUTED FACTS**

While the parties and the other witnesses have provided differing accounts about certain key matters, many of the basic facts are largely undisputed.

At the end of the 2016-2017 school year, the long-time principal and assistant principal at DMS both retired. A group of parents which included Ms. Leaf, Parent A, and Parent B wrote to the District administration advising the administration that they felt it was extremely important that the new principal at DMS have both a middle school background and Montessori experience. District administration selected Principal A as the new principal at DMS. Principal A was a very well regarded and experienced principal with the District; however, she did not have a middle school or Montessori background.<sup>2</sup>

Ms. Leaf, Parent A and Parent B were very concerned about Principal A's lack of Montessori experience and reached out to their friend and board member for DMS, Trustee Paz. Trustee Paz met with the group of parents and was extremely supportive of the FWISD administration's decision to place Principal A at DMS. The parents pushed Trustee Paz to explain why another candidate, Principal B, who had Montessori training and who was favored by the parents was not chosen for the position at DMS. Trustee Paz responded to the questions posed about Principal B.<sup>3</sup> At the conclusion of the meeting between Trustee Paz and the parents, the parents agreed to give Principal A the "benefit of the doubt."

The 2017-2018 school year was a very difficult transitional year at DMS. Both the parents and teachers had been used to and comfortable with the prior administration and some parents and teachers had trouble adjusting to the new principal. While the majority of teachers at DMS

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<sup>2</sup> Principal A received Montessori training during the summer of 2017, prior to assuming her duties as principal of DMS.

<sup>3</sup> Trustee Paz' specific response concerning Principal B is disputed and will be addressed in Section III of this report.

supported Principal A and embraced her educational philosophies, some did not. Those that did not, contacted Trustee Paz. Similarly, many parents were pleased with Principal A; however, those who did not vocally complained and contacted Trustee Paz. Trustee Paz encouraged those with issues with Principal A to contact Principal A and, if that was unsatisfactory, to contact FWISD administration. Several of those parents and teachers did so.

On June 20, 2018, Principal A was advised that she would be transferred to the Applied Learning Academy and that Principal C, the current ALA principal would be moved to DMS. When the parents and teachers who supported Principal A learned of this development, they contacted FWISD administration. On June 26, 2018, several teachers and parents spoke to the FWISD Board of Trustees in support of Principal A.

On June 27, 2018, Parent A sent an e-mail to FWISD administration and Board members accusing Trustee Paz in meddling in personnel matters. Parent A stated in her e-mail that if the District did not act, DMS parents would be forced to report the matter to the Texas Education Agency. On that same day, Trustee Paz forwarded the e-mail to the Commissioner of Education, denied the allegations and invited the TEA to investigate the allegations. Trustee Paz posted about her pre-emptive actions on FaceBook.

Thereafter, FWISD central administration had several “listening sessions” with DMS stakeholders. Ultimately, the FWISD Superintendent determined that Principal A would remain at DMS. The stakeholders at DMS were notified of this decision on July 18, 2018.

At the end of July 2018, District administration decided that both DMS and Como Montessori would be realigned from Secondary Leadership and placed under Elementary Leadership. This would allow greater resources to be allocated to both schools.

On August 1, 2018, a meeting was held with the new Elementary Leadership team, Principal A and Trustee Paz. By all accounts the meeting was positive and the parties agreed to move forward and work together for the upcoming school year.

On August 8, 2018, the Fort Worth Weekly published an article concerning Trustee Paz’ “Preemptive Strike,” i.e. her self-reporting to TEA. In that article Trustee Paz did not identify the school or principal at DMS. However, she was quoted as saying that allegations of students using racial slurs and bullying were two main concerns that parents brought to the principal’s attention and that mistakes were made in promptly addressing those concerns. Trustee Paz went on to say that, “We’ve held [and continue to hold] meetings between the aggrieved parties and the principal” and “It’ll take everyone working together to move forward.”

On that August 8, 2018, Ms. Leaf filed her grievance.

### III. WITNESS INTERVIEWS AND STATEMENTS

As previously stated, there is no dispute over some of the basic facts surrounding this matter. However, on several key points there is a major divergence. This section will focus on the disputed issues revealed in the witness interviews and statements.

#### Heather Leaf

Ms. Leaf has prepared a written grievance with her allegations concerning Trustee Paz. The following is a supplement to her grievance.

Ms. Leaf is a parent at DMS who is active on campus and with the DMS PTA. She states that she was very concerned about the District's decision to place Principal A at DMS after the retirement of the former principal. Ms. Leaf had a good working relationship with the former principal and was primarily concerned with Principal A's lack of Montessori experience.

Ms. Leaf, Parent A and Parent B met with Trustee Paz in May 2018 to express their concerns and question her about why Principal B, who had Montessori experience was not chosen by the District for the DMS opening. Trustee Paz was very complimentary of Principal A and expressed that she would be a good principal for DMS. Ms. Leaf states that Trustee Paz told them that Principal B would "never work at a school where her children attended." Ms. Leaf states that as a result of that conversation she believed that Principal B had done something seriously wrong and that whatever the misdeeds were they involved children. At the time, she felt grateful to Trustee Paz for looking out for their children. She was extremely concerned when she learned that Principal B had been assigned to another school and questioned why he was assigned if he was unfit for DMS.

Ms. Leaf stated that in October 2017, a fellow parent and close personal friend of Trustee Paz became upset with Principal A and caused a problem by talking negatively about Principal A with other parents. Ms. Leaf stated that she too had some issues with Principal A, but they were able to work through the issues and developed a positive working relationship.

Ms. Leaf states that parental concerns with Principal A continued through the Fall/Winter of the 2017-2018 school year. She states that she counseled other parents to work with Principal A as she had done.

In February 2018, an issue arose concerning the neighborhood and sibling preferences for DMS<sup>4</sup>. Ms. Leaf went to Principal A to discuss the matter and was referred to Trustee Paz. Ms. Leaf told Trustee Paz that Principal A was holding some positions open in the incoming kindergarten class in hopes of establishing a pre-kindergarten program. As a result, some children with siblings at

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<sup>4</sup> DMS is a FWISD School of Choice. Schools of Choice largely serve students who desire a non-traditional approach to the learning process. Schools of Choice are stand-alone schools and admittance is done via application. Under the current application process, neighborhood children are given a preference.

DMS had not been accepted. Ms. Leaf stated that Trustee Paz told her that Principal A was an “idiot” and had “no idea what she is doing.” Ms. Leaf alleges that Trustee Paz stated that she could not cut out the neighborhood preference and that she needed to protect her constituents in the Ryan Place neighborhood. Trustee Paz told Ms. Leaf to stay quiet about the preference issue as she was working on a solution. Ms. Leaf states that she left the matter alone after that conversation.

Ms. Leaf states that in late Spring 2018, she heard rumblings about some teachers not being happy with Principal A. Ms. Leaf stated that she *heard* that a teacher had reached out to Trustee Paz via FaceBook Messenger and asked her to help them with Principal A. More than one teacher told her that Trustee Paz encouraged the teachers to contact the administration at the FWISD central office.

Ms. Leaf stated that on May 16, 2018, she was told by Parent C that “today’s the day” that Principal A was going to be fired. Parent C is a close personal friend of Trustee Paz. When Ms. Leaf asked Parent C “why” Principal A was being fired, Parent C shared a number of issues relating to the school.<sup>5</sup> Ms. Leaf felt that many of these concerns were unfounded and in some cases false. Ms. Leaf states that she was so concerned about the prospect of Principal A losing her job, that she wrote a letter of support to the District administration. The contents of this e-mail was later shared with another parent who did not support Principal A. Ms. Leaf states that this caused a rift between her and the other parent. Ms. Leaf has accused Trustee Paz of releasing her e-mail, however, there is no evidence that this was the case. The parent in question denies that Trustee Paz ever gave her a copy of the e-mail. Rather, it was read to her by Administrator C.

Ms. Leaf had a subsequent conversation with Parent C who told her that Trustee Paz was working in the community to get rid of Principal A and Ms. Leaf’s e-mail was in direct contradiction of Trustee Paz’ efforts.

Ms. Leaf *heard* that during an off-campus choir trip an issue arose about a student using a racial epitaph. Two of the parents on the trip strongly felt that DMS administration had not handled the matter quickly enough and shared this with Trustee Paz. Ms. Leaf *heard* that Trustee Paz advised the parents to contact the central administration. Ms. Leaf also *heard* that Trustee Paz stated that DMS was a low performing school. I can find no evidence to support this.

The division between the parents who supported and opposed Principal A came to a head at the May 31, 2018 PTA meeting. Trustee Paz was not in attendance.

On June 20, 2018, Ms. Leaf was told by a teacher that Principal A was being moved from DMS as a result of the way the racial incident was handled. This is contrary to what Parent C had told her the previous month.

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<sup>5</sup> This issues involve such things as dress code enforcement, student discipline, bullying, parental access to the principal, scheduling specials, room assignments, G-T testing, teacher assignments and teacher retention.

Ms. Leaf stated that a number of parents and teachers contacted her in support of Principal A. As she had heard that Trustee Paz and Parent C were encouraging people to contact the administration in opposition to Principal A, she encouraged people to write letters of support. Ms. Leaf took part in the meeting with the FWISD Board of Trustees on June 26, 2018 and spoke in support of Principal A. At the conclusion of the public forum session, Trustee Paz approached one of the teachers who spoke at the Board meeting and told her “If you knew what I know, you would have not said nice things about her” [Principal A]. Both Ms. Leaf and a District administrator overheard these remarks.

Ms. Leaf took part in the listening sessions with District administration and stated that she was happy when the administration decided to keep Principal A at DMS.

Ms. Leaf advised me that she only filed a grievance: (1) after she read the FW Weekly article in which Trustee Paz implied that Principal A had done something wrong; and, (2) heard that Trustee Paz was telling people that as a result of all the scrutiny she was under by Elementary Leadership, Principal A would be gone from DMS after this school year. Ms. Leaf was further concerned when Parent C, who is the new DMS PTA President and close friend of Trustee Paz, appointed Trustee Paz as the Parliamentarian for the PTA. She strongly believes that Trustee Paz, being an officer of the DMS PTA, is inappropriate in light of what happened at the school during the 2017-2018 school year.

#### Parent A

Parent A and Trustee Paz have been friendly for some time and have engaged in social activities together on several occasions.

When Parent A learned that the long-term principal at DMS was leaving, she and several other parents sent a letter to the District requesting that any new principal selected for DMS be well versed in the Montessori education. She was upset when she learned that the District had decided to appoint Principal A to the position. She confirms that she met with Trustee Paz to discuss the new principal at DMS along with Ms. Leaf and Parent C.

Parent A states that Trustee Paz was very complimentary of Principal A and thought she would be a good choice for DMS. When asked why Principal B, who had Montessori training, was not given the position, Trustee Paz stated that he would “never be allowed around my kids.” Parent A inferred that Principal B had done something inappropriate with children and challenged Trustee Paz when she learned that Principal B was appointed to another campus. Parent A stated that Trustee Paz told her she could not talk about Principal B’s appointment, once again leaving her with the impression that he had done something wrong.

Parent A was the President of the DMS PTA during the 2017-2018 school year. In her position she heard quite a bit of grumbling among the parents about Principal A’s strict enforcement of District policies at the beginning of the school year. Parent A felt that the relationships improved after the parties got to know each other better.

Parent A states that in Feb 2018, she had a conversation with Trustee Paz on her front porch. Parent A states that Trustee Paz was very angry at hearing that Principal A was hoping to add a pre-K program at DMS. Trustee Paz said something to the effect of “[Principal A] is crazy. The district will never support a pre-K at DMS.” When pressed in a phone conversation about a week later regarding Pre-K and the DMS preference zone, Trustee Paz told Parent A “It’s political, \_\_\_\_\_. Stay quiet. I will deal with it. I have to talk to the president of Ryan Place. Ryan Place definitely will not want this preference zone to go away.” Parent A responded “Ashley, I’m concerned that you’re not advocating to have this preference zone removed because if you do, Ryan Place will not elect you again.” She responded “\_\_\_\_\_, I’m offended. I am not planning on running again, so it’s a non-factor.”

Parent was told that on May 5, 2018, Trustee Paz approached a DMS Middle School teacher (Teacher A) and made making disparaging remarks about Principal A’s character and abilities. Additionally, Trustee Paz allegedly recited a litany of DMS’s troubles under Principal A. The teacher told Trustee Paz that her stated concerns were unfounded.

On May 14, 2018, Trustee Paz and Parent A had an hour and ½ conference during which Trustee Paz made several accusations about Principal A’s leadership. Trustee Paz told Parent A that nine teachers were leaving; that first- and second-graders would be regrouped; that Principal A was ending DMS's choir program; that teachers were being moved among grade levels arbitrarily; that Principal A's plans for pre-K at DMS were outrageous and would never have district support; and that DMS's middle school was an academic disaster. Except for the information about DMS’s middle school, which Parent A knew to be false, Parent A was very concerned by Trustee Paz’ information, and brainstormed with her about administration replacements. Parent A once again suggested that they see if Principal B would be interested in coming to DMS. Trustee Paz repeated that the candidate Parent A suggested would never be at DMS and never be around her children and that Parent A should “just trust me” about Principal B’s unsuitability. Parent A states that Trustee Paz told her, “\_\_\_\_\_[Principal A] is an idiot. She is gone. I will make sure of that.” Parent A states that both she and other parents have had multiple conversations with Trustee Paz in which she has voiced her personal disdain for Principal A.

Parent A stated that she investigated the matters which Trustee Paz had discussed with her and determined that each one of the accusations were either false or exaggerated.

On May 15, 2018, Parent A had a long discussion with Parent C. Parent A states that Parent C told her that Trustee Paz “hated Principal A’s guts” and was going to “make sure she was fired.”

On May 30, 2018, a parent posted on FaceBook about her complaints concerning Principal A. These complaints echoed those of Trustee Paz. Parent A posted a rebuttal to those complaints which was shared with many of the parents and teachers in the DMS community.

Parent A was present during the PTA meeting on May 31, 2018. She confirms that Trustee Paz was not present. The meeting became very heated between the parents who supported Principal A and those who opposed her. Parent A and Parent D who had been close friends up until that time, argued at the meeting about an incident involving Parent D’s child and another African

American child. Parent A states that racial incidents and bullying at DMS had not been an issue until that time.

Parent A states that she met with Principal A on June 1, 2018 to discuss the parents' concerns. She stated that she discussed the seriousness of the rift within the DMS community with Principal A.

On June 20, 2018, Parent A received a text from a teacher advising her that Principal A was being removed from DMS. The teacher told her that the reason for the removal was the manner in which racial concerns had been addressed. Another teacher shared with her that Trustee Paz was soliciting letters in opposition to Principal A. Parent A stated that 26 of the 35 teachers at DMS (75%) spoke in favor of Principal A. On June 24, 2018, Parent A had a long conversation with Parent D in which she attempted to reconcile their differences. They were unable to do so.

On June 25, 2018, Trustee Paz texted Parent A asking if they could talk. Parent A invited Trustee Paz to her house and told her that she had also invited DMS parent Heather Leaf. Trustee Paz declined to meet with Parent A saying that she was "not comfortable meeting with Heather at this time." When pressed on her refusal to meet with Mrs. Leaf, even in a public place that night or in district offices the next day, Trustee Paz stated "for personal reasons I'm not comfortable meeting with her at all." Parent A stated that Trustee Paz added that "Ann Sutherland is Heather's board member, and I'm sure that she will be glad to meet with her anytime and commiserate over what a horrible person I am." Parent A was upset by these statements.

Parent A stated that she contacted FWISD administration in support of Principal A. Parent A was told by a teacher that Trustee Paz stated that the decision had already been made and that her meeting with administration would not be happening.

Parent A was present during the June 26, 2018 Board meeting and spoke in support of Principal A. She subsequently took part in the listening sessions which were held with District administration. Parent A was pleased when the District chose to allow Principal A to stay at DMS.

Parent A thought that this would be the end of the conflict until she heard that Trustee Paz was saying that with the new oversight Principal A was being subjected to, Principal A would not last through the end of the year.

#### Parent B

Parent B confirms that she met with Trustee Paz in May 2017. She stated that Trustee Paz was supportive of Principal A and was confident that Principal A was a good hire for DMS. Parent B stated that the former DMS principal and several teachers had assured the parents that Principal B would be coming to DMS. When the parents asked Trustee Paz about Principal B during the May 2017 meeting, she told them that Principal B would not be a "good fit" for DMS and he would not be "appropriate" for DMS. She further stated that Trustee Paz told them that "I can't



share anything in his personnel file with you.” Parent B inferred that there was something negative in Principal B’s personnel file that prevented him from being selected to the position at DMS.

Parent B stated that she had her ups and downs during the 2017-2018 school year in terms of communication with Principal A. She stated that they worked through the issues and ended the year with a positive relationship.

Parent B stated that she has received calls from both sides of the current grievance proceedings. She does not wish to be involved. Parent B feels like Principal A has many good ideas and she fully supports Principal A. Parent B stated that if the District administration thinks Principal A is the right person for DMS, she will continue to support her. Parent B stated that she does not know the details about the racial incidents alleged by other parents. Rather, her opinion is informed solely by her interactions with Principal A.

Parent B works out with Trustee Paz. On August 1, 2018, Trustee Paz mentioned that she had been in a meeting with Principal A and several central office administrators. Trustee Paz shared with her that the meeting went well, that Trustee Paz felt it was going to be a great school year, and that everybody was all on the same page at DMS. Later that day several DMS parents were discussing the meeting between Principal A and the central office administration. Parent B shared the conversation she had with Trustee Paz with Ms. Leaf and the other parents. Parent B meant this to be encouraging and was disappointed that Ms. Leaf used her statement in the grievance.

Parent B is an officer for the DMS PTA and has been working closely with Principal A this school year. Parent B stated that and she has had nothing but positive experiences and conversations with Principal A during the current school year. Principal A has never indicated that she is scared or worried about her job.

Parent B confirmed that Trustee Paz is the Parliamentarian for the DMS PTA. Parent B does not feel that this is in any way inappropriate and believes that Trustee Paz is well qualified to be the Parliamentarian. Parent B noted that as the Parliamentarian, Trustee Paz has no voting rights in the PTA and has less power than if she was a general member.

Parent B stated that the majority of DMS parents have no idea what the problem is or even that there is a problem at DMS. Rather, she believes the controversy is confined to a small group of parents.

### Parent C

Parent C provided a full written statement in support of Trustee Paz to Trustee Paz’ counsel on October 17, 2018, after I had already interviewed her. This statement has been attached to Trustee Paz’ response to the grievance. The statement given by Parent C does not contradict anything she told me during our interview. Rather than reiterate all of the facts contained in Parent C’s statement, I will highlight those which relate to Trustee Paz.

Parent C and Trustee Paz are good friends and serve on the FWISD Race & Equity Committee together. Parent C stated to me that in May 2018, she made statements to other parents to the effect that Principal A would not be at DMS next year. Parent C stated that Trustee Paz never made any such statements to her.

Parent C stated that Trustee Paz always seemed to be able to draw the line between personal matters and District business and always did her job as a trustee. Trustee Paz always advised her to take any of the concerns she had about DMS to the administration and told parents that they needed to support Principal A.

#### Parent D

Parent D has provided a full written statement in support of Trustee Paz in connection with Ms. Leaf's grievance. This statement and her written complaints to the administration have been attached to Trustee Paz' response to the grievance. During my interview with Parent D, she did not contradict anything contained in her written statement. Rather than reiterate all of the facts contained in Parent D's statement, I will highlight those which relate to Trustee Paz.

Parent D has known both Ms. Leaf and Trustee Paz socially for a number of years. She has worked closely with Parent A with the DMS PTA. She serves on the District's Race & Equity Committee with Trustee Paz.

In October 2017, Parent D's daughter was subjected to a racial epithet by another student. Parent D did not believe that the administration at DMS handled the matter appropriately or in a timely manner. In May 2018, parent D was on a choir trip for DMS students along with several other DMS parents. One of the other parents received a call from a parent in Fort Worth to advise her that her child had been subjected to the same racial epithet as Parent D's daughter. As this was the third such incident Parent D had heard about during the school year, she was understandably upset. She discussed this matter with Trustee Paz (who was also on the choir trip) and decided that she was going to write to the Superintendent and the head of Secondary Leadership about her concerns. Trustee Paz encouraged her to do so.

Parent D stated that she Trustee Paz never insinuated to her that she was going to get Principal A fired or have her removed from DMS. Parent D stated that Trustee Paz never discussed the situation with Principal A at all with her other than to say that there "were a lot of issues."

Parent D stated that her sole issue with DMS administration involved racial bullying and equity in discipline. She feels that Ms. Leaf and Parent A have attempted to marginalize her concerns. She says this was evident during the May 31, 2018 PTA meeting when Ms. Leaf accused her of "pulling the race card when it was convenient" to get rid of Principal A. She feels that this whole situation has divided the DMS community but that Trustee Paz has maintained her professionalism at all times.

### Parent E

Parent E is a former teacher at FWISD and a current parent of a child at DMS. As a teacher, Parent E had reached out to Trustee Paz in connection with a personnel matter. Parent E stated that Trustee Paz behaved very professionally and appropriately during their encounter. Trustee Paz remained neutral at all times. Parent E was left with a positive impression of Trustee Paz.

As a parent at DMS Parent E stated that she found Principal A to be fair, even-tempered, kind and sympathetic. She was generally pleased with the way in which Principal A handled matters with her special needs child.

In May 2018, Parent E learned that a teacher with whom her child had a problem was moving up a grade level. If this happened Parent E was concerned that her child would be placed in the teacher's class. She went to Principal A to discuss the matter. After she left the meeting, she was approached by Parent C who inquired how the meeting had gone. Parent E told her that the teaching assignments for the upcoming year and Parent C told her that she needed to go over Principal A's head. Parent C told her that she needed to tell Trustee Paz her story so "we can get rid of" Principal A. Parent C told Parent E that she and Trustee Paz were united in getting rid of Principal A. Parent E states that she told Parent C that she was on the wrong side of the fight over Principal A.

Parent E states that she then contacted Trustee Paz and told her that she should not be trying to get rid of Principal A. Parent E states that she told Trustee Paz that she had a personal vendetta against Principal A. According to Parent E, Trustee Paz said "What are you going to do about it?" Parent E states that she told Trustee Paz that she would try and see that Principal A was not removed.

Parent E states that she contacted the Board President and Secondary Leadership about her support of Principal A. She attended the school board meeting in June 2018 in support of Principal A.

Parent E states that after this matter was resolved and it was decided that Principal A was staying at DMS, Trustee Paz was drinking at a parent gathering and told a group of parents that "We're going to get her [Principal A] fired before the school year is over."

### Parent F

Parent F is managing conservator for her grand-daughter, who is student at DMS. Parent F's grand-daughter and Trustee Paz' child are friends.

Parent F had some concerns when Principal A came to DMS, but after meeting with her she felt Principal A was trying to do a good job and had addressed her concerns.

At the end of the 2017-2018 school year, she heard talk of Principal A being fired. Parent F did not agree with this outcome and felt that it was inappropriate for the parents to be casually bandying it around.

In May 2018 Parent F heard Trustee Paz tell some parents “She’s out of here!” in reference to Principal A. While Parent F is not a detractor of Trustee Paz, she did not feel it was appropriate for her to say that to parents.

### Additional Parents

Complaints from four additional parents, either in the form of e-mails or posts to social media were reviewed by the investigator. These documents all support Trustee Paz’ assertion that she was receiving complaints from multiple parents concerning Principal A. In addition, in her response Trustee Paz details several other parental complaints she received during the 2017-2018 school year. The investigator has no reason to doubt the veracity of Trustee Paz’ recounting of these complaints.

### Teacher A

Teacher A had been at DMS for many years. She was teaching at DMS when the former principal decided to retire. Teacher A stated that many of the DMS school community wanted Principal B to take over as principal since he had a Montessori background. Teacher A asked Trustee Paz why he was not coming when she learned that Principal A had been selected. Trustee Paz told her that: (1) Principal B “wouldn’t be qualified”; (2) that there were “extenuating circumstances,” and (3) “you would not be comfortable with him.” Teacher A felt that Trustee Paz was integral to Principal B not getting the position. (I found no evidence that this was the case.)

Teacher A stated that her next conversation with Trustee Paz occurred in April 2018. She stated that Trustee Paz called her and said that she was “really upset” with Principal A. Teacher A suggested they talk about Trustee Paz’ concerns. During their meeting Trustee Paz stated that she was upset about Principal A’s plans for a pre-K program and her proposal to change student groupings. Trustee Paz also stated that she was upset about an e-mail that had been forwarded to her by a teacher. Teacher A asked Trustee Paz whether she was going to engage Parent A, who was the PTA President about her concerns. Teacher A stated that Trustee Paz said no, she was going to get Parent C, her friend, to push forward because she “needed a bulldog.”

May 5, 2018, Trustee Paz approached Teacher A and shared a number of concerns she had about Principal A and a number of issues at DMS. Teacher A told Trustee Paz that her concerns were unfounded and that one of the concerns, i.e., that DMS’s middle school program was low performing was false. Teacher A was upset about this conversation because she felt that people in the community would believe Trustee Paz as she was in a position of authority.

Teacher A stated that she had one further conversation with Trustee Paz in which Trustee Paz reiterated her concerns about the teacher e-mail and the student groupings.

Teacher A was aware that teachers were writing letters to the District administration about Principal A. She stated that she wrote a letter in support of Principal A. In her estimation, there were an equal number of letters supporting Principal A as opposing her. Teacher A stated that she was contacted by a very emotional Parent C about her letter in support of Principal A. Teacher A is unsure how Parent C even knew about her letter of support.

Teacher A believes that Trustee Paz became emotionally involved with the situation as a result of listening to friends in the DMS community. She notes, however, that all of her interactions with Trustee Paz occurred prior to the issue of discipline for racial bullying arose.

#### Teacher B

Teacher B is a former DMS teacher who was there during the 2017-2018 school year. While she was nervous that a new administration was coming to DMS, she stated that Principal A created a wonderful atmosphere from the teacher's perspective.

Teacher B stated that she never had any negative feedback from parents about Principal A. She stated that the only negative feedback she ever heard was from three teachers who had been allowed to slack off under the previous administration.

Teacher B stated that Principal A had never let on anything to the teachers about her being moved to another campus and did not solicit any letters in support. Teacher B stated that she sent a letter in support of Principal A. In response, she received a letter from Trustee Paz. In the letter Trustee Paz told her that "personnel decisions are private and it would be unfair to [Principal A] for anyone to share the details that led to this decision." Teacher B stated that she was worried about her career at FWISD for speaking in support of Principal A.

#### Additional Teachers

In her response Trustee Paz details several specific complaints about Principal A which she received from teachers at DMS. The investigator does not question whether Trustee Paz received the complaints from teachers as set forth in her response.

#### Administrator A

Administrator A is a member of the Elementary Leadership team. He did not assume his current position until July 2018 and has no personal knowledge of events that happened at DMS during the 2017-2018 school year.

During the summer of 2018, both DMS and Como Montessori were moved from Secondary Leadership to Elementary Leadership. Administrator A had no input into that decision.

As of the date of our interview, Administrator A had no complaints about racial matters or bullying at DMS.<sup>6</sup> Administrator A has had no interaction with Trustee Paz in relation to DMS. Trustee Paz has not been present during any on campus meetings he has attended at DMS. Administrator A has had e-mails from two teachers at DMS expressing concerns about Principal A. Both of the teachers copied Trustee Paz on their e-mails. Administrator A states that there is no plan to manage Principal A out of DMS.

#### Administrator B

Administrator B is also a member of the Elementary Leadership team. He did not assume his current position until July 2018 and has no personal knowledge of events that happened at DMS during the 2017-2018 school year.

In August 2018 Administrator B was present, along with another administrator and Trustee Paz at a meeting with Principal A about moving forward for the 2018-2019 school year. Administrator B states that the meeting was very positive and professional. Administrator B has had no further contact with Trustee Paz since that meeting.

Administrator B states that there is definitely no “plan to get rid of” Principal A.

#### Administrator C

Administrator C is in his second year in Secondary Leadership. During the 2017-2018 school year DMS was in transition with new campus leadership. He is familiar with Principal A and felt pleased that Principal A was taking over at DMS as she was a good principal dedicated to getting DMS back to real Montessori principles. Administrator C attended site visits at DMS and the other Montessori campus at FWISD and attended the national Montessori convention with Principal A.

Administrator C was unaware of any issues at DMS until April or May 2018. At that time parental concerns about Principal A’s strict adherence to the FWISD dress code, the exodus of teachers and movement of teachers to different grade levels were brought to his attention. Administrator C met with both Principal A and the parents to discuss these issues. Administrator C stated that despite him and Principal A explaining these matters to the parents who brought the concerns, the parents were not satisfied.

In the late Spring of 2018, he met with Trustee Paz at the request of his supervisor. This was his first meeting with Trustee Paz concerning DMS. Trustee Paz advised him that she had received parental complaints about: (1) dress code enforcement; (2) teachers leaving; (3) outrageous behavior by some teachers; (4) the use of PTA money for building a track; (5) bullying not being addressed; (6) Principal A’s making decisions without input from the community, and (7) Principal A’s failing to listen to the parents’ concerns. Administrator C stated that during the meeting which lasted almost an hour, he was not given a real opportunity to speak. Administrator

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<sup>6</sup> Based on statements contained in Trustee Paz’ response to the grievance, this may have changed after my interview with Administrator A.

C stated that Trustee Paz appeared to be very frustrated, became agitated when he questioned whether she had addressed these matters with Principal A and ended the meeting. Administrator C stated that he later learned that the parents making these complaints were friends of Trustee Paz.

Administrator C was told that the District had decided to flip Principal A with the principal at the Applied Learning Academy. He was not consulted about this proposal. Administrator C stated that there was a large amount of parental and teacher support for leaving Principal A at DMS and that he was copied on numerous supportive emails. In addition, the principal at the ALA contacted Administrator C and told him that she did not wish to be moved to DMS. Administrator C states that he did not share *any* information with either the parental groups for or against Principal A.

Administrator C was present at the June 2018 Board meeting and was walking behind one of the teachers when Trustee Paz spoke to her. He observed the teacher's face and could see that she was upset. After Trustee Paz left, he proceeded out to the parking area where the teacher told him that Trustee Paz had told her that "if she knew what she [Trustee Paz] knew, she wouldn't have said nice things about" Principal A. The teachers who had spoken in support of Principal A were angry because they said Trustee Paz was "lying" about Principal A and accused him of backing those alleged lies. Teachers stated that they were frustrated with all the parental drama at DMS. Administrator C stated that he did not engage with the teachers and offered them no advice.

Administrator C stated that he did not take part in the decision to keep Principal A and the principal at ALA at their respective campuses.

Administrator C stated that while he thinks highly of Principal A, he did not take sides in the controversy at DMS. To the best of his knowledge, Principal A has been subject to no disciplinary matters and there is no plan to get rid of her or transfer her from DMS.

#### Administrators D

Administrator D was in Secondary Leadership during the 2017-2018 school year. Administrator D stated that despite what the parents may have thought or been told, there was never any plan for Principal B to go to DMS. This was not because there were any concerns or problems with Principal B and it was not due to any interference from any Board member.

Administrator D stated that she is aware that Board members get complaints from parents and teachers all of the time. In her opinion it would be proper for a Board member to refer a complaint to the proper administrator. Administrator D stated that she was contacted by Trustee Paz in May 2018 about parental concerns and complaints involving Principal A. She was also contacted by Parent D and Trustee Paz about racial bullying. Administrator D stated that she met with Parent D, another parent and Trustee Paz to discuss the bullying concerns. Administrator D stated that following those meetings, she spoke to Principal A on two occasions to discuss better

ways to handle student discipline in such situations. She did not take any disciplinary action against Principal A.

Administrator D stated that Trustee Paz never requested that she take disciplinary action against Principal A. However, Trustee Paz clearly indicated that she wanted Principal A moved saying that DMS “may not be the best place” for Principal A. Administrator D advised Trustee Paz and the Superintendent that she had no reason to change or move Principal A from DMS. However she agreed that in an effort to move forward it might be beneficial if the principals for DMS and ALA were switched. Administrator D told Principal A about the planned decision and Principal A, while upset, agreed to not contest the decision. The principal at ALA made it clear that she did not wish to go the DMS.

Administrator D stated that she received no teacher input on Principal A until after the campus swap was announced.

Following the June 2018 Board meeting the decision to move Principal A was placed on hold. Administrator D was present during the various listening sessions with the DMS stakeholders. She stated that the parents were all respectful but that they had mixed reports as to the climate at DMS and Principal A’s leadership.

Administrator D stated that the Superintendent ultimately made the decision to leave Principal A at DMS. She stated that she was not part of the decision making process of moving DMS and Como Montessori from Secondary Leadership to Elementary Leadership.

#### Administrator E

Administrator E confirmed that during the 2017-2018 school year and before, DMS was under the purview of Secondary Leadership. She stated that she never heard that Principal B was being considered for a position at DMS. She is unaware of any reason that would preclude Principal B from being a principal at DMS but stated that an open position at DMS would have been posted separately. She is unaware whether Principal B even applied or interviewed for the position.

Administrator E has known Principal A for a long time and had a high opinion of her as a visionary leader. Administrator E had previously supervised Principal A. She was aware of prior parental concerns that Principal A was strict but Administrator E stated that Principal A was always fair and had no prior disciplinary actions.

Administrator E stated that after the Christmas break during the 2017-2018 school year she received a call from Trustee Paz regarding parental complaints at DMS. Administrator E told Trustee Paz that she would pass the information on the Administrators C and D. On two occasions after that Trustee Paz informed her that things had not settled down on the DMS campus. Both times Administrator E referred Trustee Paz back to Administrators C and D.

Administrator E states that Trustee Paz never expressed to her that Principal A should be removed from the DMS campus. Trustee Paz never indicated that there was any personal reasons



for her concerns and appeared to follow correct procedures for bringing parental concerns to the attention of district administration. As Administrator E understood, Principal A was struggling with bringing parents together on the campus and was having communication issues with parents.

Administrator E was aware that a preliminary decision had been made to move Principal A and the principal at the ALA. Administrator E had no input into that decision but would not have moved Principal A. Rather, she would have engaged in coaching Principal A on her communication skills.

Following the parental opposition to the transfer at the June 2018 Board meeting, Administrator E participated in the “listening sessions” with the DMS stakeholders. She provided feedback to the Superintendent who ultimately decided to leave the two principals at their respective campuses.

Administrator E had input into the decision to move DMS to Elementary Leadership. In her opinion the parental concerns at DMS centered on more elementary issues. She was aware that Principal A had worked well under Elementary Leadership in the past and, given the higher Secondary Leadership roles, it made sense to balance some of the leadership responsibilities back to the elementary side. The decision was made to move Como Montessori back to Elementary Leadership.

Administrator E took part in a meeting with Administrator B, Trustee Paz and Principal A which took place in August 2018. In her opinion the meeting went well and there was good communication between the parties. Trustee Paz conducted herself professionally and as a Board member during the meeting and not as a parent. Administrator E has heard of no additional problems at DMS since that meeting.

Administrator E stated that there is no secret agenda to get rid of Principal A.

### Superintendent

The Superintendent stated that he had suggested Principal A for the position at DMS. He felt that she was a good principal.

The Superintendent stated that during the 2017-2018 school year Trustee Paz reported to him that several parents were upset with Principal A. Trustee Paz advised the Superintendent that she had defended Principal A to the parents.

At the end of the school year Administrator D recommended that Principal A and the principal at ALA be switched. It was his understanding that neither principal was happy about this decision. Parents at DMS were extremely upset about the decision so he placed it on hold while additional information was gathered.

The Superintendent received information from Administrators B, D and E after they had conducted listening sessions with the parents at DMS. Both groups in favor of and against Principal A staying at DMS were extremely passionate in their convictions. The Superintendent was unable to determine which group was “right” but felt that there were definite culture and climate improvements to be made at DMS. The Superintendent determined that the best course of action for the school was to leave Principal A at DMS and realign DMS so that it reported to Elementary Leadership. The Superintendent determined that most of the complaints about Principal A were more closely related to elementary issues and could be better addressed by Elementary Leadership.

The Superintendent confirms that he has no plans to remove Principal A from her position but that he would transfer her to another campus rather than lose her.

#### Trustee Paz

In addition to meeting with the investigator, Trustee Paz has provided a written response to the allegations against her. This written response fully sets forth her version of events and her reasons for her actions. Rather than reiterating this response, which is both well-articulated and thorough, only points not addressed in the written report will be discussed herein.

Trustee Paz stated that she had a telephone conversation with Parent A in which she specifically told her that there was “no secret bad thing” about Principal B.

Trustee Paz stated that she always tried to keep her roles as a parent and as a Board member separate and has brought for none of her personal concerns about Principal A. She stated on numerous times during our interview that she does not dislike Principal A and always tried to support her with parents. Trustee Paz stated that the first negative interaction she had with Principal A was in February 2018 over the DMS lottery system and Principal A’s holding back on 5 slots. Until that time, Trustee Paz had always defended anything that Principal A had done or proposed.

Trustee Paz denied that she ever told Ms. Leaf or Parent A that Principal A was an “idiot.” Trustee Paz denied that she ever told a group of parents that she was going to get Principal A fired as described by Parent E. Trustee Paz denies that she ever used any sort of derogatory language in reference to Principal A.

Trustee Paz stated that she never gave Administrator C any directives about firing Principal A. She stated that her conversation with Administrator C was focused on his failure to support Principal A. (I would note that Administrator C never claimed that Trustee Paz directed him to fire Principal A.) Trustee Paz stated that Administrator C *told her* that maybe DMS was not the right fit for Principal A.

Trustee Paz stated that after her long conversation with Parent A on May 14, 2018 she felt better about some of the staffing changes. It was her understanding that the parties were nearer to a resolution of their concerns. However, the following day Ms. Leaf and Parent A told Principal A

that Trustee Paz was after her job. Trustee Paz stated that Parent A then spread a false narrative about the problems at DMS and Trustee Paz. Trustee Paz stated that Parent A spread claimed that the future of Montessori programs at FWISD were in danger and pitted teachers at DMS against each other.

#### **IV. FINDINGS**

A. Allegation: Trustee Paz disparaged the current principal at DMS;

Based upon the witness interviews and the documentary evidence referenced in Sections II and III, it is my opinion that the allegation that Trustee Paz made disparaging remarks concerning Principal A is substantiated. While all the parties agree that Trustee Paz was initially very supportive and spoke highly of Principal A, several parents, teachers and administrators all reported similar comments of a disparaging nature at the end of the 2017-2018 school year. While these comments may have been borne out of frustration with the situation and prompted by the multiple complaints brought to Trustee Paz by parents and teachers, comments made by Trustee Paz were disparaging of Principal A. Accordingly, this allegation is substantiated.

B. Allegation: Trustee Paz took part in a campaign to oust the current principal at DMS;

For the majority of the school year, Trustee Paz maintained her distance from the parental complaints at DMS and clearly followed her role as a board member in referring complaints to the appropriate administrators. However, this distinct line between Board member and parent was crossed in May 2018. I carefully considered the statement of Parent C who stated that other parents may have gotten the idea that Trustee Paz was involved in the “anti-Principal A” group based on things that Parent C said. However, this was weighed against statements from multiple parents, teachers and administrators, some of whom clearly supported Trustee Paz, that Trustee Paz wished to have Principal A removed. It is my opinion that the credible evidence supports the position that Trustee Paz was part of the campaign to remove Principal A from DMS. Accordingly, this allegation is substantiated.

C. Allegation: Trustee Paz attempted to use her position as a board member to exert influence over District administrators;

Of the six administrators I spoke with (including the Superintendent) two of them expressed concerns that Trustee Paz was using her position as a Board member to exert pressure on them and influence their decisions. Two other administrators felt the exact opposite. The final two administrators had no opinion on the subject. Trustee Paz adamantly denies this allegation and stated that she specifically asked if the initial decision to move Principal A was made because District administration thought it would please her. Ultimately she did not influence the final decision as Principal A remained at DMS. While I do not ascribe an intentional desire to improperly exert control over District administration in personnel matters to Trustee Paz, Trustee

Paz' position of authority and significant involvement with the parental concerns at DMS makes this a closer call. However, I do not believe there is enough evidence to substantiate this allegation.

D. Allegation: Trustee Paz used her position as a Board member to disseminate personal information;

Based upon the witness interviews and the documentary evidence referenced in Sections II and III, it is my opinion that the allegation that Trustee Paz used her position as a Board member to disseminate personal information of the grievant is unsubstantiated.

E. Allegation: Trustee Paz is currently using her position as a board member to improperly oversee personnel matters and assert control at DMS.

Based upon the witness interviews and the documentary evidence referenced in Sections II and III, it is my opinion that the allegation that Trustee Paz is currently using her position as a board member to improperly oversee personnel matters and assert control at DMS unsubstantiated.

## V. LEGAL ANALYSIS

In the current case I have carefully reviewed both state law and Board policies to determine whether any of Trustee Paz' actions violate applicable legal standards. While I do not believe any statutory provisions were violated by Trustee Paz, some of her conduct in May and June 2018 was incompatible with her role as a FWISD Board member and contrary to Board Policy. Specifically, I believe that Trustee Paz' conduct in making disparaging remarks about Principal A and taking part in the campaign to remove her from the DMS campus are contrary to the following provisions of the Fort Worth ISD Code of Ethics for Board Members:

*As a member of the Board, I shall promote the best interests of the District as a whole and, to that end, shall adhere to the following ethical standards:*

- *I will be fair, just, and impartial in all my decisions and actions.*
- *I will accord others the respect I wish for myself*  
...
- *I will make no personal promise or take private action that may compromise my performance or my responsibilities.*  
...
- *I will avoid personal involvement in activities the Board has delegated to the Superintendent.*

FWISD BBF(LOCAL).

## VI. OPTIONS FOR ACTION

The Board has numerous options which it may consider in formulating a response to Trustee Paz' conduct. The first option is to take no action at all. A second option is to require a Board member to take additional training in the area in need of improvement. Other less serious options would include a private censure.

Other more serious options include public reprimands and removing a Board member for his/her officer position. In certain cases it is possible to completely remove a Board member from office. It is my opinion that removal from officer has no viability in this case. Likewise, the requested remedy, i.e. that Trustee Paz be removed from interaction with DMS matters does not appear to be a viable alternative. Trustee Paz was elected to the single member district which encompasses the campus and there may potentially be voting rights implications. One of the other requested remedies, that Trustee Paz be removed from her position as an officer in the DMS PTA, is beyond the Board's authority,

Please note that the options are only provided for informational purposes. The Board has the authority to choose any combination of the options or none at all notwithstanding my opinion on viability.

## VII. RECOMMENDATION

In the current case I do not feel that the sustainable allegations against Trustee Paz warrant a public reprimand. Rather, in this case I would recommend a private censure and additional training for Trustee Paz on the issue of handling complaints from parents and teachers. Insofar as there have been allegations from several of the witnesses that other Board members had been directly contacted by the various factions in the DMS community, I believe such training would be beneficial to the entire Board of Trustees.